

Translation

PATENT COOPERATION TREATY  
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

|  |   |   |
|--|---|---|
| Applicant's or agent's file reference<br><b>GROZPA109PCT</b>                 | FOR FURTHER ACTION  | See Form PCT/IPEA/416                               |
| International application No.<br><b>PCT/EP2004/006737</b>                    | International filing date (day/month/year)<br><b>22.06.2004</b> | Priority date (day/month/year)<br><b>28.06.2003</b> |
| International Patent Classification (IPC) or national classification and IPC |   |   |
| Applicant<br><b>GROZ-BECKERT KG</b>  |   |   |

|   |                                     |   |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
|---|-------------------------------------|---|---------------------|--------------------------|------------|----------|--------------------------|-------------|--|--------------------------|------------|----------------------------|-------------------------------------|-----------|---|--------------------------|------------|-------------------------|--------------------------|-------------|--|--------------------------|--------------|---|
| <p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> |                                     |   |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <p>4. This report contains indications relating to the following items:</p> <table> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>  | <input checked="" type="checkbox"/> | Box No. I   | Basis of the report | <input type="checkbox"/> | Box No. II | Priority | <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability | <input type="checkbox"/> | Box No. IV | Lack of unity of invention | <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | <input type="checkbox"/> | Box No. VI | Certain documents cited | <input type="checkbox"/> | Box No. VII | Certain defects in the international application | <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |
| <input checked="" type="checkbox"/>   | Box No. I                           | Basis of the report   |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. II                          | Priority  |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. III                         | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. IV                          | Lack of unity of invention  |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input checked="" type="checkbox"/>   | Box No. V                           | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. VI                          | Certain documents cited   |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. VII                         | Certain defects in the international application  |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |
| <input type="checkbox"/>  | Box No. VIII                        | Certain observations on the international application   |                     |                          |            |          |                          |             |  |                          |            |                            |                                     |           |   |                          |            |                         |                          |             |  |                          |              |   |

|   |                                   |
|---|-----------------------------------|
| Date of submission of the demand        | Date of completion of this report |
| Name and mailing address of the IPEA/EP | Authorized officer                |
| Facsimile No.                           | Telephone No.                     |

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/006737

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language \_\_\_\_\_ which is the language of a translation furnished for the purposes of:

international search (Rule 12.3 and 23.1(b))  
 publication of the international application (Rule 12.4)  
 international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

the international application as originally filed/furnished  
 the description:  
 pages 1-19 \_\_\_\_\_ as originally filed/furnished  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the claims:  
 nos. 1-15 \_\_\_\_\_ as originally filed/furnished  
 nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19  
 nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the drawings:  
 sheets 1/6-6/6 \_\_\_\_\_ as originally filed/furnished  
 sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

the description, pages \_\_\_\_\_  
 the claims, nos. \_\_\_\_\_  
 the drawings, sheets/figs \_\_\_\_\_  
 the sequence listing (specify): \_\_\_\_\_  
 any table(s) related to sequence listing (specify): \_\_\_\_\_

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages \_\_\_\_\_  
 the claims, nos. \_\_\_\_\_  
 the drawings, sheets/figs \_\_\_\_\_  
 the sequence listing (specify): \_\_\_\_\_  
 any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

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| Box No. V   | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |             |        |      |     |  |        |  |    |                     |        |      |     |  |        |  |    |                               |        |      |     |  |        |  |    |
|---|---|-------------|--------|------|-----|--|--------|--|----|---------------------|--------|------|-----|--|--------|--|----|-------------------------------|--------|------|-----|--|--------|--|----|
| <p>1. Statement</p> <table> <tr> <td>Novelty (N)</td> <td>Claims</td> <td>1-15</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td>1-15</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td>1-15</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> </table>  |   | Novelty (N) | Claims | 1-15 | YES |  | Claims |  | NO | Inventive step (IS) | Claims | 1-15 | YES |  | Claims |  | NO | Industrial applicability (IA) | Claims | 1-15 | YES |  | Claims |  | NO |
| Novelty (N)   | Claims  | 1-15        | YES    |      |     |  |        |  |    |                     |        |      |     |  |        |  |    |                               |        |      |     |  |        |  |    |
|   | Claims  |             | NO     |      |     |  |        |  |    |                     |        |      |     |  |        |  |    |                               |        |      |     |  |        |  |    |
| Inventive step (IS)   | Claims  | 1-15        | YES    |      |     |  |        |  |    |                     |        |      |     |  |        |  |    |                               |        |      |     |  |        |  |    |
|   | Claims  |             | NO     |      |     |  |        |  |    |                     |        |      |     |  |        |  |    |                               |        |      |     |  |        |  |    |
| Industrial applicability (IA)   | Claims  | 1-15        | YES    |      |     |  |        |  |    |                     |        |      |     |  |        |  |    |                               |        |      |     |  |        |  |    |
|   | Claims  |             | NO     |      |     |  |        |  |    |                     |        |      |     |  |        |  |    |                               |        |      |     |  |        |  |    |
| <p>2. Citations and explanations (Rule 70.7)</p> <p>1. This report makes reference to the following documents:</p> <p>D1: WO 01/48284 A (OSTYN GEERT; BEERNAERT BART (BE); CARDOEN MARNICK (BE); PICANOL NV (BE)), 5 July 2001 (2001-07-05)</p> <p>D2: WO 97/26396 A (BEYAERT DANIEL; PICANOL NV (BE)), 24 July 1997 (1997-07-24)</p> <p>1.1 D1 is regarded as the prior art closest to the subject matter of claim 1 and discloses the preamble of claim 1.</p> <p>1.2 The subject matter of claim 1 therefore differs from the known heald shaft in that the heald-damping element is held so as to be movable transversely to the support body.</p> <p>1.3 The present invention can therefore be considered to address the problem of providing a heald shaft for a weaving shaft in which the heald movement is very effectively damped.</p> |   |             |        |      |     |  |        |  |    |                     |        |      |     |  |        |  |    |                               |        |      |     |  |        |  |    |

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| Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement   |
|-----------|---|
| 1.4       | The proposed solution, in particular the movable support of the heald-damping element, is neither known from nor suggested by the available prior art.  |
| 1.5       | The subject matter of claim 1 is therefore novel (PCT Article 33(2)) and involves an inventive step (PCT Article 33(3)).  |
| 2.1       | Claims 2-14 are dependent on claim 1 and therefore also meet the PCT novelty and inventive step requirements.   |
| 3.1       | D2 is regarded as the closest prior art and discloses (the references in parentheses are to that document): a process for fitting a weaving shaft with healds and/or for threading the healds, in which the fitting and/or threading operations are carried out on a weave shaft, and from which the subject matter of independent claim 15 differs in that the damping element is removed from the at least one heald shaft of the weave shaft, and mounted again on the heald shaft once the fitting and/or threading operations are completed. |
| 3.2       | The present invention can therefore be considered to address the problem of facilitating the fitting of the weave shaft with healds.  |
| 3.3       | The proposed solution, in particular the removal of the damping element during the fitting process, is neither known from nor suggested by the  |

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement  
available prior art.

3.4 The subject matter of claim 15 is therefore novel (PCT Article 33(2)) and involves an inventive step (PCT Article 33(3)).